

CLASSIFICATION OFFICE DECISION

Title of publication: 037_37.JPG

Other known title(s): Not stated

OFLC ref: 2000211.021

Medium: Image File

Distributor: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Unrestricted.

Descriptive note: None

Display conditions: None

Date of entry in Register: 04 September 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 02 September 2020

Summary of reasons for decision:

The image file is a close-up of a female's chest painted green. There is nothing overtly sexual about the image, nor can the age of the female be determined due to the close cropping and the green paint, which negates the effect of the nudity. Therefore the image does not get through the "subject matter gateway" of s3(1) of the Films, Videos, and Publications Classification Act 1993, nor does it deal with matters under s3A or s3B of that Act. The publication must therefore be classified unrestricted. An unrestricted classification imposes no limitations on the right to freedom of expression as affirmed by the New Zealand Bill of Rights Act 1990.